

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/761,864 Confirmation No.: 3151
Applicant : Richard P. WHITE, *et al.*
Filed : January 20, 2004
Title : AN UNSOLICITED MESSAGE DIVERTING COMMUNICATIONS
: PROCESSOR
Art Unit : 2444
Examiner : Paul H. KANG
Docket No. : EGT-005-1C

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.116

Dear Sir:

In response to the final Office Action mailed on October 5, 2009, Applicant respectfully requests reconsideration of the rejections of record in view of the following amendments and remarks.¹

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this Response.

In sum, claims 1-15 are currently amended.

Claims 16 and 17 have been cancelled.

No claims have been added.

Claims 1-15 are pending.

Remarks begin on page 8 of this Reply.

¹ Applicant respectfully submits that the finality of the rejections set forth in the Office Action is improper and premature under M.P.E.P. § 706.07(a), and accordingly requests the Examiner to deem the present Office Action to be a “non-final” Office Action. *See* Remarks § II, *infra*. Nonetheless, this Reply is submitted within the two-month period immediately following the mailing of a final Office Action as provided by the weekend grace period set forth in M.P.E.P. § 706.07(f)(A).